



Strengthening Families  
Building Communities  
Nurturing Childhoods

# A Community Supporting Approach to Mandated Reporting:

## Training Updates & Insights on State Reform Efforts

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# Learning Objectives

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- ❑ Examine the historical and systemic factors, including structural racism, that contribute to disparities in mandated reporting outcomes for BIPOC children and families
- ❑ Analyze California-specific data on child abuse and neglect reporting, focusing on disproportionality, overreporting, and their impact on children and families
- ❑ Identify the role of implicit and explicit bias in decision-making processes and apply strategies to mitigate their influence when fulfilling mandated reporting responsibilities

# Learning Objectives (cont'd)

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- ❑ Develop practical skills for recognizing signs of abuse and neglect, defining "reasonable suspicion", and utilizing decision-making tools before reporting
- ❑ Explore recent efforts to reform mandated reporting, including AB 2085, aimed at redefining “neglect” and reducing poverty-based reporting
- ❑ Summarize the mandated reporting process, reporting procedures, decision-making tools, what happens after a report is made, and strategies for supporting families

# WHY THIS MATTERS

*Perspectives and Data*





**“My daughter was born medically fragile. I had no support from my family, and I didn’t know where to go for help or even what to ask for. The domestic violence in our home got worse because of the stress of being parents of a child with significant needs. When the police called CPS, I had no idea that my child could be removed because I was a victim of domestic violence. How could they take her away? I believe my experience—and my daughter’s life—would have been different if we had support and had known about the “failure to protect” laws. Even though my daughter was in foster care for less than a year, she continues to suffer from the experience.”**

— Shelley Lopez, MRCS Task Force and Lived Experience Group member, parent, and advocate

**“Students learn best in safe and supportive school environments. We must re-examine our training and support for mandated reporters, as well as our policies and practices to ensure that we are centering child safety and strengthening families through prevention. We need to better understand and address over-reporting and over-surveillance, especially around general neglect, and critically examine how bias contributes to harm experienced by our historically underserved students and families.”**

— Dr. Debra Duardo, Los Angeles County Superintendent of Schools

**“We can do so much better, and the time is now. Maybe 20 years ago the time wasn't right, but the time is now. Communities are strong and ready to do this work. The Task Force is made up of transformers who must continue to do the work, no matter how scary. It takes all of us living in the uncomfortable zone to push.”**

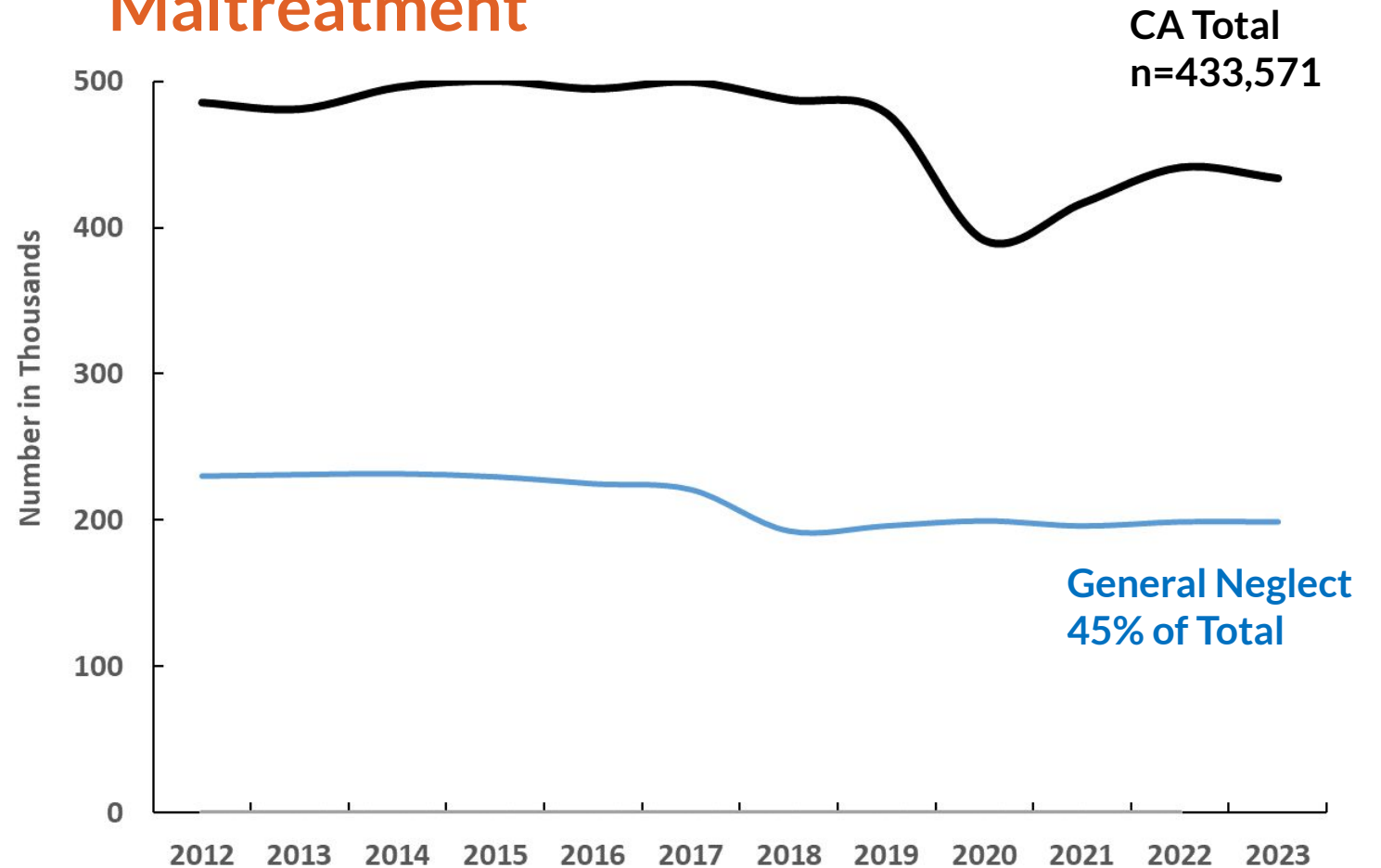
— Janay Eustace, President & CEO, The Child Abuse Prevention Center



# General Neglect is the #1 allegation

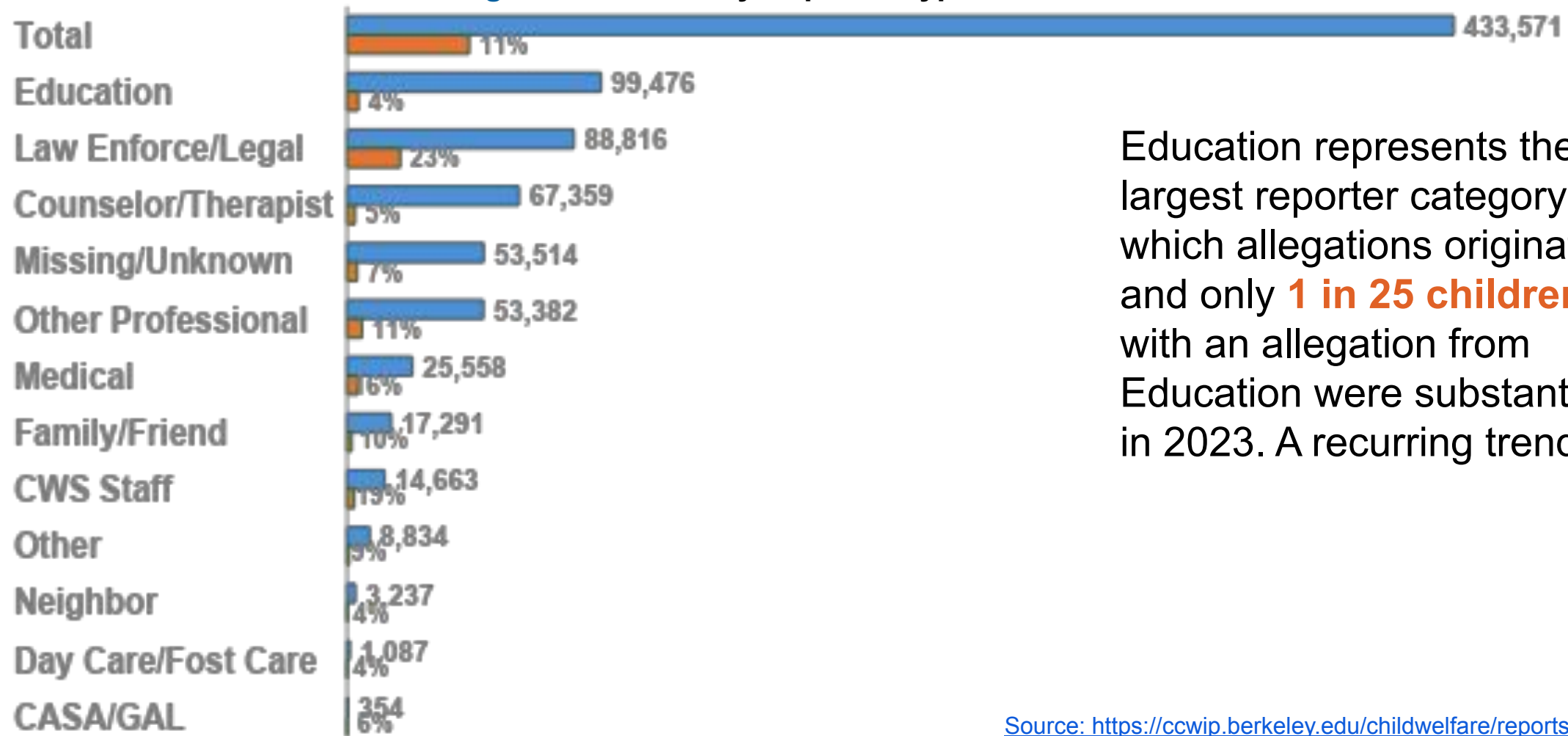
**45%** of all children with an allegation of maltreatment are related to general neglect, an occurrence that can often be mitigated by community supports. General neglect is a “catch-all” allegation that is often driven by racism, bias, and the absence of economic opportunity and resources. It can also include issues related to domestic violence, substance abuse, and mental health.

## Children with an Allegation of Maltreatment



# In 2023, only 1 in 9 children with an allegation of abuse and/or neglect was substantiated in California

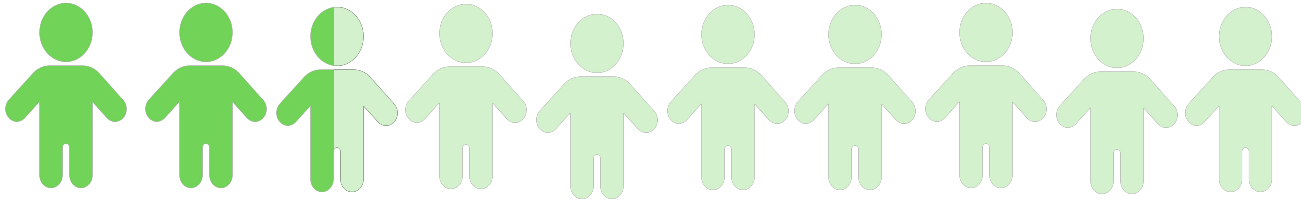
Children with one or more Allegations in 2023 by Reporter Type & Percent Substantiated



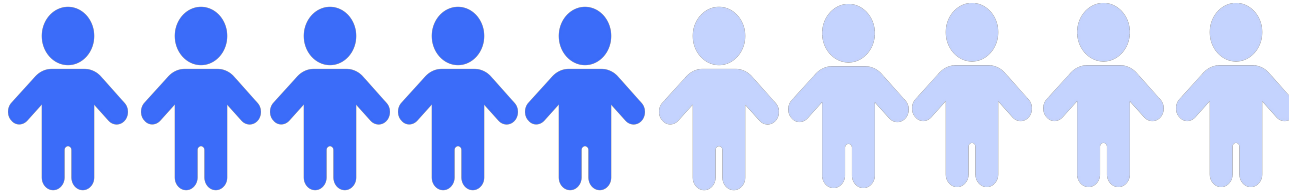
Education represents the largest reporter category from which allegations originate, and only **1 in 25 children** with an allegation from Education were substantiated in 2023. A recurring trend.



## In California:

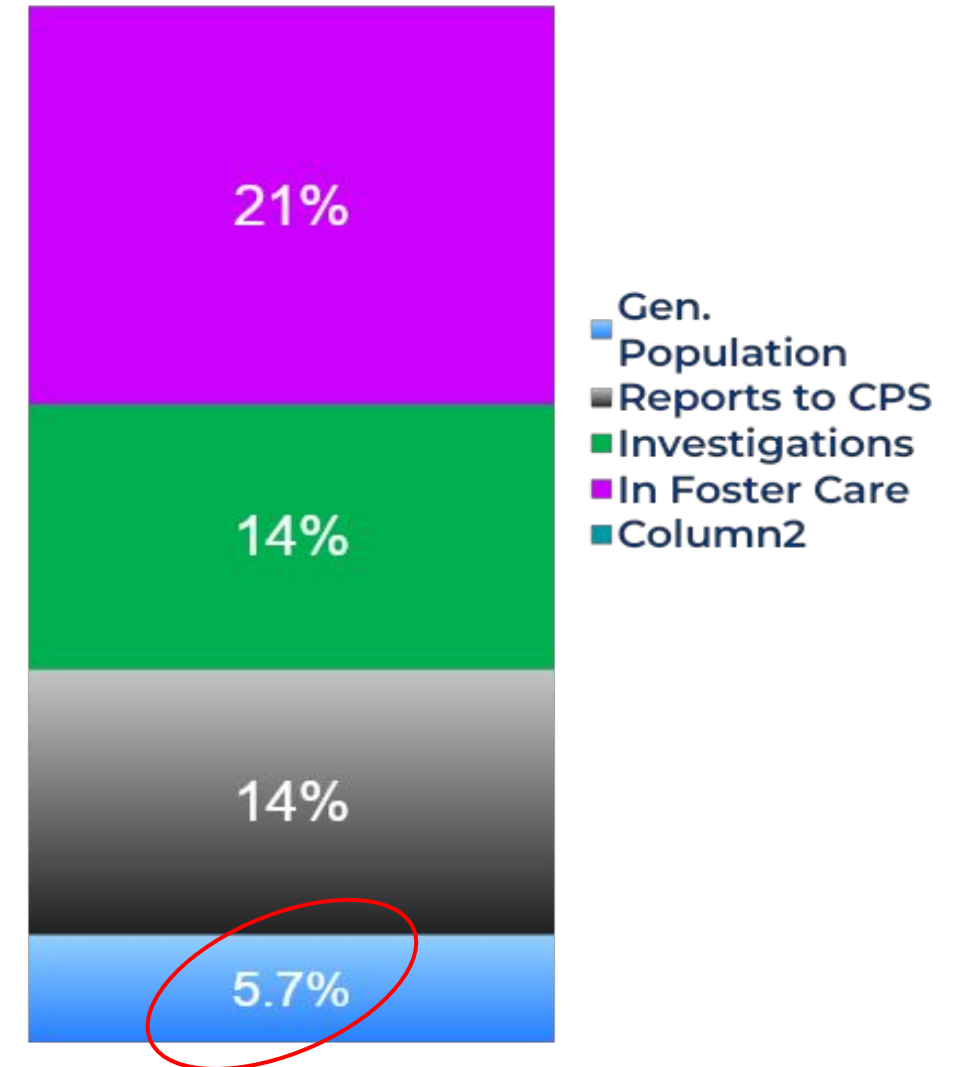


Almost **25% of White children** in the birth cohort were investigated by CPS by age 18



This compares to roughly **50% of Black and Native American children**

## Black Children





# Additional Harms of Mandated Reporting

- **Fear of Asking for Support:** Families share that they often do not ask for help due to fear of how their situation will be perceived, and that they could lose their child.
- **Trauma and Stigma:** Families talk about being traumatized by child welfare investigations and stigmatized by allegations that follow them, even if the outcome of the investigation did not result in formal system involvement
- **CWS System Overburdened:** Majority of reports to the child welfare hotline do not need formal system involvement; as a result, the child welfare workforce is overburdened and unable to focus on referrals that do require formal attention

# A Brief History of ...

Mandated Reporting in the U.S.

**1963** - The first states passed laws requiring certain people to report suspected child abuse

**1967** - All 50 states passed some sort of mandatory reporting law

**1974** - Congress enacted the Child Abuse Prevention and Treatment Act ([CAPTA](#)) requiring states to pass their own mandatory reporting provisions

**1980** - California enacts the Child Abuse and Neglect Reporting Act ([CANRA](#)) in response to CAPTA

**2014** - [AB 1432](#) requires training for teachers and school personnel

**2015** - [AB 1207](#) requires training for day care providers and employees

**2020** - [AB 1963](#) requires training for businesses that hire teens

**2021** - [AB 506](#) requires training for all Youth Service Organizations

# CAPTA

The “Child Abuse Prevention and Treatment Act”

# CAPTA's Requirements

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Originally enacted in 1974, the law provides federal funding to states to support the “prevention, assessment, investigation, prosecution, and treatment” of child abuse, in exchange for states’ fulfillment of certain requirements.

One such requirement is that states enact laws mandating reports of known or suspected child abuse to a child protective services agency. ([42 U.S.C. § 5106a](#))



# CANRA

The “Child Abuse and Neglect Reporting Act”

# What is CANRA?

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The Child Abuse and Neglect Reporting Act (CANRA), outlined in [California Penal Code §§ 11164-11174.3](#), was enacted in 1980 to establish clear definitions and procedures for mandated reporting of child abuse. Since its passage, several amendments have broadened both the definition of child abuse and expanded the list of individuals required to report suspected abuse.

# “Intent and Purpose” of CANRA

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## California Penal Code §§ 11164-11174.3

“The intent and purpose of this article is to protect children from abuse and neglect. In any investigation of suspected child abuse or neglect, all persons participating in the investigation of the case shall consider the needs of the child victim and shall do whatever is necessary to prevent psychological harm to the child victim.”

# “Unintended” Consequences

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Structural racism and system biases have distorted implementation

- Overreporting & Surveillance
- Trauma & Family Separation
- Economic & Legal Penalties
- Bias in Decision-Making

*These “unintended” consequences have disproportionately impacted low-income, BIPOC children and their families*

# Recent Legislative Reforms

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Signed 9/27/2022:

**Assembly Bill (AB) 2274** limits the filing for a failure to report an incident of known or reasonably suspected *child abuse* or *severe neglect* to within one year of the discovery of the offense, and no later than 4 years after the commission of the offense.

Signed 9/26/22:

**AB 2085** modified the definition of reportable general neglect by clarifying that “economic disadvantage” is not general neglect and that a child must be at “substantial risk” of suffering serious physical harm or illness, while **Senate Bill (SB) 1085** specified that poverty alone is not a reason for the court to take jurisdiction and for a family to enter the child welfare system.



# Recent Legislative Reforms (cont'd)

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Signed 10/8/2023:

**AB 391** requires an agency receiving a report from a non-mandated reporter to ask the reporter to provide specified information, including their name, telephone number, and the information that gave rise to the knowledge or reasonable suspicion of child abuse or neglect.

“If the reporter refuses to provide their name or telephone number, the agency shall make efforts to determine the basis for that refusal and advise the reporter that the identifying information will remain confidential” [[CANRA 11167\(f\)\(2\)](#)].

[Will be updated as more bills are signed]

# Who is a Mandated Reporter?

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**Per CANRA mandated reporters are certain individuals and categories of professions who are required to report suspected child abuse or neglect**

- CANRA sets forth 49 categories of legally mandated reporters\*
- This includes but is not limited to social workers, educators, clinicians, healthcare professionals, and licensed childcare providers
- Other than volunteers for Court Appointed Special Advocates (CASA), volunteers are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect

\*Refer to [California Penal Code Section 11165.7](#) for full list

# Legal Responsibilities

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## California Penal Code Section 11166

... a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in the mandated reporter's professional capacity or within the scope of the mandated reporter's employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect.

The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written followup report within 36 hours of receiving the information concerning the incident.

# Legal Responsibilities (cont'd)

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## California Penal Code Section 11166

- A mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both that imprisonment and fine ...
- Any supervisor or administrator who violates § 11166(1) (that prohibits impeding others from making a report), shall be punished by not more than 6 months in a county jail or by a fine of not more than \$1,000, or both.

# Legal Protections

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## California Penal Code Section 11172

### Immunity for Making Reports

- No mandated reporter shall be civilly or criminally liable for any report required or authorized by this article, and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of their professional capacity or outside the scope of their employment. Any other person reporting a known or suspected instance of child abuse or neglect shall not incur civil or criminal liability because of any report authorized by this article ...

### Limitations to Immunity

- Any person who makes a report of child abuse or neglect known to be false or with reckless disregard of the truth or falsity of the report is liable for any damages caused



# Legal Definitions of Abuse

According to [CANRA](#)

# Legal Definitions of Abuse

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## California Penal Code Section 11165.6

- Includes physical injury of death inflicted by other than accidental means upon a child by another person
  - Sexual abuse as defined in [Section 11165.1](#)
  - Neglect as defined in [Section 11165.2](#)
  - The willful harming or injuring of a child or the endangering of the person or health of a child, as defined in [Section 11165.3](#)
  - Unlawful corporal punishment or injury - [Section 11165.4](#)

# Sexual Abuse

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## California Penal Code Section 11165.1

Sexual abuse means sexual assault or sexual exploitation - it includes, but is not limited to the following:

- Rape, statutory rape, gang rape, incest, sodomy, oral copulation, lewd or lascivious acts upon a child, sexual penetration, child molestation, the touching of genitals or intimate body parts, masturbation in the presence of a child, preparing, selling, or distributing child pornography, and child sexual trafficking

# Definition of CSEC

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**Commercial Sexual Exploitation of Children (CSEC)** refers to crimes involving the sexual abuse or exploitation of children for financial gain or other forms of compensation, including non-monetary exchanges like shelter or drugs.

Examples include:

- Child Sex Trafficking
- Child Pornography
- Child Sex Tourism

*CSEC covers a range of exploitive scenarios not strictly defined by federal law.*

# Neglect

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## California Penal Code Section 11165.2

- **Severe neglect** means the negligent failure of a person having the care of custody of a child to 1) protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive
- It also means those situations of neglect where any person having the care of custody of a child willfully causes or permits the person or health of the child to be placed in a situation such that their person or health is endangered ...



# Neglect (cont'd)

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## California Penal Code Section 11165.2

- **General neglect** means the negligent failure of a person having the care of custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred but the child is at substantial risk of suffering serious physical harm or illness
- Does not include a parent's economic disadvantage

# Indicators of General Neglect

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A significant lack of:

- Basic Needs
  - Food
  - Clothing
  - Shelter
- Supervision
- Medical Care
- Educational Needs
- Emotional Support
- Unsafe Living Conditions

**Remember to keep California  
Assembly Bill 2085 in mind!**

# California Assembly Bill 2085

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*“... limit[s] the definition of general neglect to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness, and would provide that **general neglect does not include a parent’s economic disadvantage.**”*

# Physical Abuse

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## California Penal Code Section 11165.3

- [T]he willful harming or injuring of a child or the endangering of the person or health of a child ... a situation in which any person willfully causes or permits a child to suffer, or inflicts thereon, unjustifiable physical pain or mental suffering

## California Penal Code Section 11165.4

- [U]nlawful corporal punishment or injury ... where any person willingly inflicts upon any child any cruel or inhuman corporal punishment or injury resulting in a traumatic condition

# Emotional Abuse

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## California Penal Code Section 11166.05

- Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering emotional damage or is at a substantial risk of suffering serious emotional damage, evidenced by states of being or behavior, including, but not limited to, severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to an agency specified in [Section 11165.9](#)

# Definition of Domestic Violence (DV)

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## California Code, Family Code - FAM § 6211

DV refers to **abuse** committed against specific individuals, which include:

- A spouse or former spouse
- A cohabitant or former cohabitant.
- A person with whom the perpetrator has had a dating or engagement relationship.
- A person with whom the perpetrator has had a child.
- A child of a party or a child involved in a parentage action.
- Any other person related by blood or marriage within the second degree.

# SB-1141 DV: Coercive Control

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- In 2020, [SB-1141](#) revised the state's Family Code, establishing that **coercive control** constitutes abuse under the definition in the state's DV Prevention Act
- **Coercive control** is a form of domestic violence in which an abuser uses a pattern of abusive behavior to dominate their partner and limit their partner's freedom

Examples of coercive control include:

- Isolating the victim from friends, relatives, or other sources of support
- Controlling the victim's finances, communications, and whereabouts
- Depriving the victim of basic necessities, such as food or sleep
- Humiliating, degrading, or otherwise verbally abusing the victim

# When abuse is suspected ...

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- Conduct the discussion privately
- Sit next to the child and use language the child understands
- Focus on open-ended questions, i.e. *“What happened?”*
- Do not ask leading or suggestive questions - allow the child to tell you about the experience in his/her/their own words
- Provide appropriate reassurance letting the child know they did the right thing, are brave for speaking up, and are not to blame
- Let the child know what you will do to follow up and support



# Defining “Reasonable Suspicion”

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## California Penal Code Section 11166

“For purposes of this article, ‘reasonable suspicion’ means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on the person’s training and experience, to suspect child abuse or neglect ...”

# Why can disclosure be difficult?

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Some key reasons include:

Fear of Consequences	Manipulation and Grooming
Lack of Understanding	Loyalty to the Abuser
Social / Cultural Stigma	Trauma / Psychological Impact
Fear of Family Disruption	Normalization of the Abuse

# Reporting Procedure

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Mandated reporters are required to report suspected abuse or neglect by phone as soon as possible and follow up with a completed written report within two days.

- Family & Children's Services Hotline

**1-800-856-5553** (24 hours/7 days)

- Suspected Child Abuse Report (SCAR)

**Form BCIA 8572**

# Suspected Child Abuse Report (SCAR)

## Form BCIA 8572

- Other languages available

Send form in one of three ways:

- Fax:** (415) 557-5351
- Mail:** Family & Children's Services, Attn:  
Hotline H110, P.O. Box 7988, San  
Francisco, CA 94120-7988
- Email:** [FCSHotlineReports@sfgov.org](mailto:FCSHotlineReports@sfgov.org)

Call the FCS Hotline if you have questions!

STATE OF CALIFORNIA  
BCIA 8572  
(Rev. 03/2024)

DEPARTMENT OF JUSTICE  
Page 1 of 2

### SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

[Print Form](#) [Clear Form](#)

**To Be Completed by Mandated Child Abuse Reporters**  
PLEASE PRINT OR TYPE

**CASE NAME:** \_\_\_\_\_  
**CASE NUMBER:** \_\_\_\_\_

**A. REPORTING PARTY**

NAME OF MANDATED REPORTER \_\_\_\_\_ TITLE \_\_\_\_\_ MANDATED REPORTER CATEGORY \_\_\_\_\_  
REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS Street City Zip \_\_\_\_\_ DID MANDATED REPORTER WITNESS THE INCIDENT? ☐ YES ☐ NO  
REPORTER'S TELEPHONE (DAYTIME) \_\_\_\_\_ SIGNATURE \_\_\_\_\_ TODAY'S DATE \_\_\_\_\_

**B. REPORT NOTIFICATION**

☐ LAW ENFORCEMENT ☐ COUNTY PROBATION AGENCY \_\_\_\_\_  
☐ COUNTY WELFARE / CPS (Child Protective Services)  
ADDRESS Street City Zip \_\_\_\_\_ DATE/TIME OF PHONE CALL \_\_\_\_\_  
OFFICIAL CONTACTED - NAME AND TITLE \_\_\_\_\_ TELEPHONE \_\_\_\_\_

**C. VICTIM**  
One report per victim

NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_ BIRTHDATE OR APPROX. AGE \_\_\_\_\_ SEX \_\_\_\_\_ ETHNICITY \_\_\_\_\_  
ADDRESS Street City Zip \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
PRESENT LOCATION OF VICTIM \_\_\_\_\_ SCHOOL \_\_\_\_\_ CLASS \_\_\_\_\_ GRADE \_\_\_\_\_  
PHYSICALLY DISABLED? ☐ YES ☐ NO DEVELOPMENTALLY DISABLED? ☐ YES ☐ NO OTHER DISABILITY (SPECIFY) \_\_\_\_\_ PRIMARY LANGUAGE SPOKEN IN HOME \_\_\_\_\_  
IN FOSTER CARE? ☐ YES ☐ NO IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: ☐ DAY CARE ☐ CHILD CARE CENTER ☐ FOSTER FAMILY HOME ☐ TYPE OF ABUSE (CHECK ONE OR MORE):  
☐ NO ☐ FAMILY FRIEND ☐ GROUP HOME OR INSTITUTION ☐ RELATIVE'S HOME ☐ PHYSICAL ☐ MENTAL  
☐ SEXUAL ☐ NEGLECT  
RELATIONSHIP TO SUSPECT \_\_\_\_\_ PHOTOS TAKEN? ☐ YES ☐ NO DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? ☐ YES ☐ NO ☐ UNK

**D. INVOLVED PARTIES**

**VICTIMS**

1. NAME \_\_\_\_\_ BIRTHDATE \_\_\_\_\_ SEX \_\_\_\_\_ ETHNICITY \_\_\_\_\_  
2. NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_ BIRTHDATE OR APPROX. AGE \_\_\_\_\_ SEX \_\_\_\_\_ ETHNICITY \_\_\_\_\_  
ADDRESS Street City Zip \_\_\_\_\_ HOME PHONE \_\_\_\_\_ BUSINESS PHONE \_\_\_\_\_

**PARENTS/GUARDIANS**

3. NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_ BIRTHDATE OR APPROX. AGE \_\_\_\_\_ SEX \_\_\_\_\_ ETHNICITY \_\_\_\_\_  
4. NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_ BIRTHDATE OR APPROX. AGE \_\_\_\_\_ SEX \_\_\_\_\_ ETHNICITY \_\_\_\_\_  
ADDRESS Street City Zip \_\_\_\_\_ HOME PHONE \_\_\_\_\_ BUSINESS PHONE \_\_\_\_\_

**SUSPECT**

SUSPECT'S NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_ BIRTHDATE OR APPROX. AGE \_\_\_\_\_ SEX \_\_\_\_\_ ETHNICITY \_\_\_\_\_  
ADDRESS Street City Zip \_\_\_\_\_ TELEPHONE \_\_\_\_\_

OTHER RELEVANT INFORMATION \_\_\_\_\_

**E. INCIDENT INFORMATION**

IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX ☐ IF MULTIPLE VICTIMS, INDICATE NUMBER: \_\_\_\_\_  
DATE/TIME OF INCIDENT \_\_\_\_\_ PLACE OF INCIDENT \_\_\_\_\_  
NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incident(s) involving the victim(s) or suspect) \_\_\_\_\_

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code section 11169 to submit to DOJ a Child Abuse or Severe Neglect Indexing Form BCIA 8583 if (1) an active investigation was conducted and (2) the incident was determined to be substantiated.

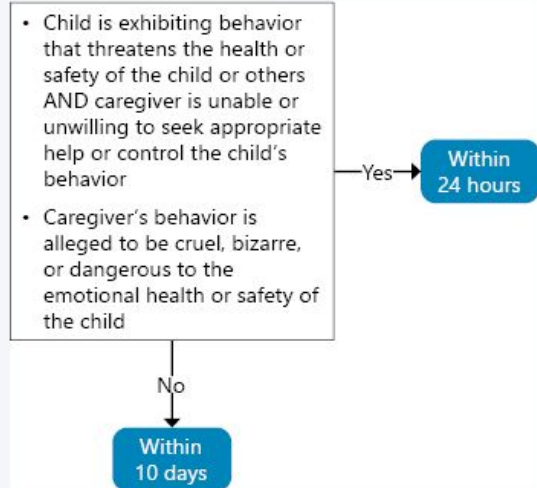
# What happens after a report is made?

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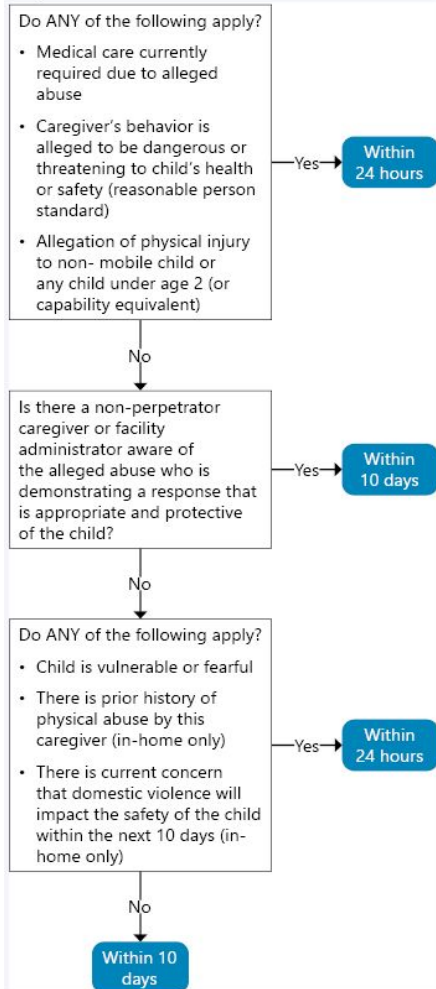
- In San Francisco, [Family and Children's Services \(FCS\)](#) responds to reports of suspected child abuse, neglect, or exploitation **that meet the threshold for an in-person response**
  - Emergency Response **Hotline Worker** will gather information about the suspected child abuse and utilizes [Structured Decision Making \(SDM\)](#) to determine if the information provided meets criteria for an in-person response
  - **If referral meets criteria for an in-person response**, an Emergency Response Social Worker will interview the child, parents, and witnesses, visiting the home, and assessing the child's immediate safety
  - **Emergency Response Social Worker** will determine results of the assessment

# Response Priority (using SDM)

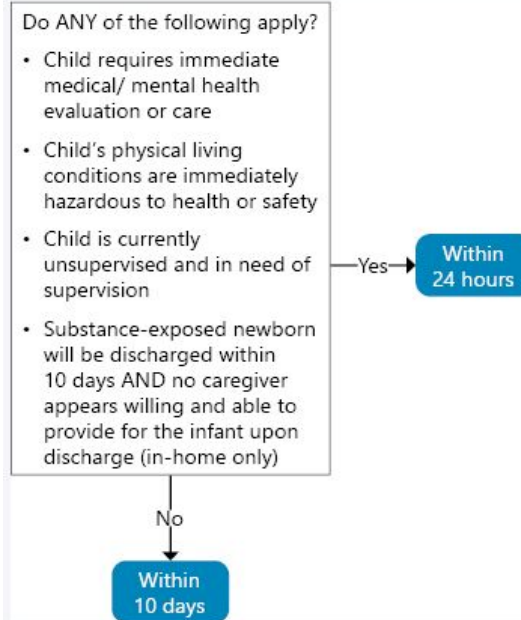
## Emotional Abuse Tree



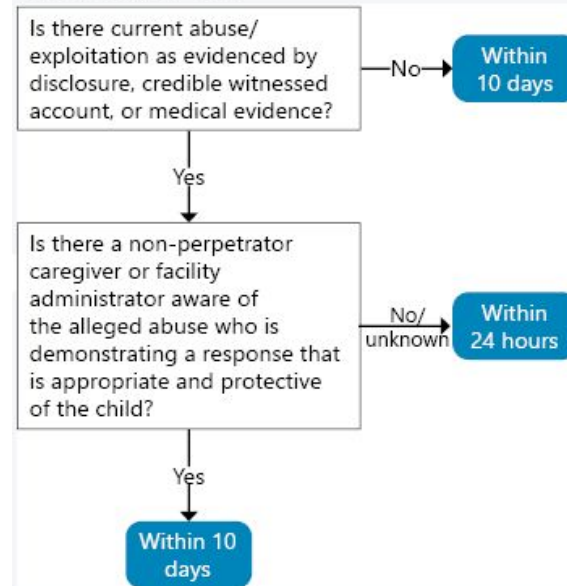
## Physical Abuse Tree



## Neglect Tree



## Sexual Abuse Tree



# Assessment Results

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**Unfounded** - the report is determined not to be true.

**Inconclusive** - there isn't enough information to know either way.

**Substantiated** - there is credible information to believe that child abuse or neglect, more likely than not, did occur.

*Families have the right to be treated in a professional manner, with dignity and respect, free from discrimination. They also have a right to have their language, culture, or other special needs accommodated.*

[Sacramento County DCFAS](#)





# Bias, Trauma, and their Impact on Families

# What is Implicit Bias?

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*Implicit bias, also known as implicit prejudice or implicit attitude, is a negative attitude, of which one is not consciously aware, against a specific social group.*

- [American Psychological Association](#)

**Implicit bias can often come into play in reporting**

- i.e. Equating poverty with neglect and race-based overreporting

# Defining Trauma

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*Individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's functioning and physical, social, emotional, or spiritual well-being.*

- [SAMHSA \(via ACEs Aware\)](#)

High rates of unsubstantiated reports lead to significant unnecessary harm and trauma for children and families.

- i.e. Unnecessary investigations that cause confusion, fear, anxiety, etc.

# Impact on Families

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*Nearly 90% of children reported to CPS each year have allegations that lack sufficient evidence or information to substantiate that abuse or neglect occurred ...*

*The harm inflicted by reports has a lasting impact on the child's well-being, the family's cohesiveness, and the community's support of the family.*

[MRCS Task Force Report](#)

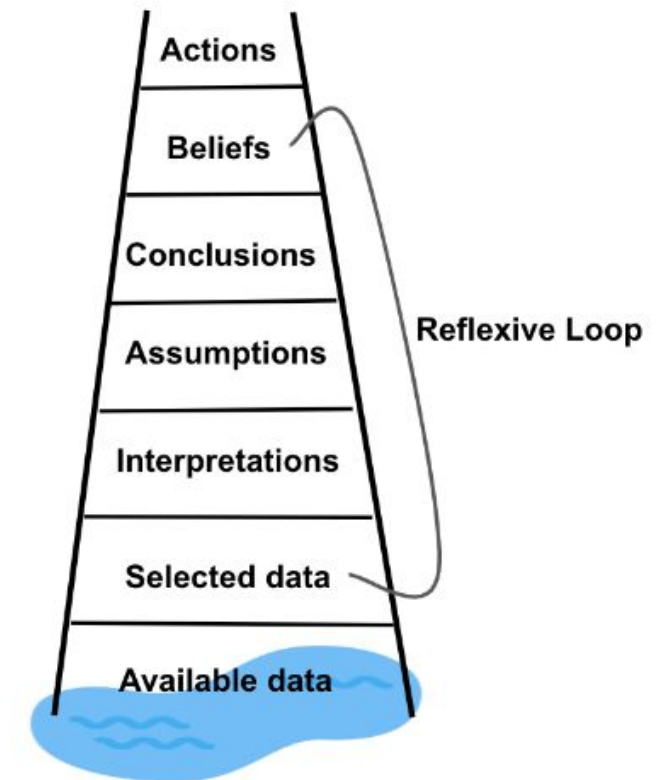
# Decision-Making Tools

For Mandated Reporters

# “Reporting is not benign ...”

- Dr. James Metz

It is important to take a “pause” or a “timeout” before making a report - an “intentional moment” to ensure we know “why we’re reporting, we know the reasons for it, and that we’re reporting at the right time and on the right person ...”



Source: [Medium](#)

# Assessing for Bias

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Would you make the same decision to call if any of the following were different? The child or family's:

- *Race? Ethnicity? Gender? Gender identity? Sexual orientation or expression? Religion? Immigration status? Primary spoken language? Culture? Age? Neighborhood where they reside? Presence of a disability? Occupation? Socio-economic status?*

# Critical Thinking & Reporting

The best tool we have to combat bias is critical thinking.

- Critical thinking requires you to:



Identify what specifically concerns you about the particular situation



Gather adequate information about the current situation



Analyze that information to separate facts from assumptions



Recognize the possibility of bias in your personal opinions



Temporarily suspend judgement



Develop multiple hypotheses that could explain the situation



Determine whether you are legally required to call the SCR or whether an alternative option is better



# 4 Step Process

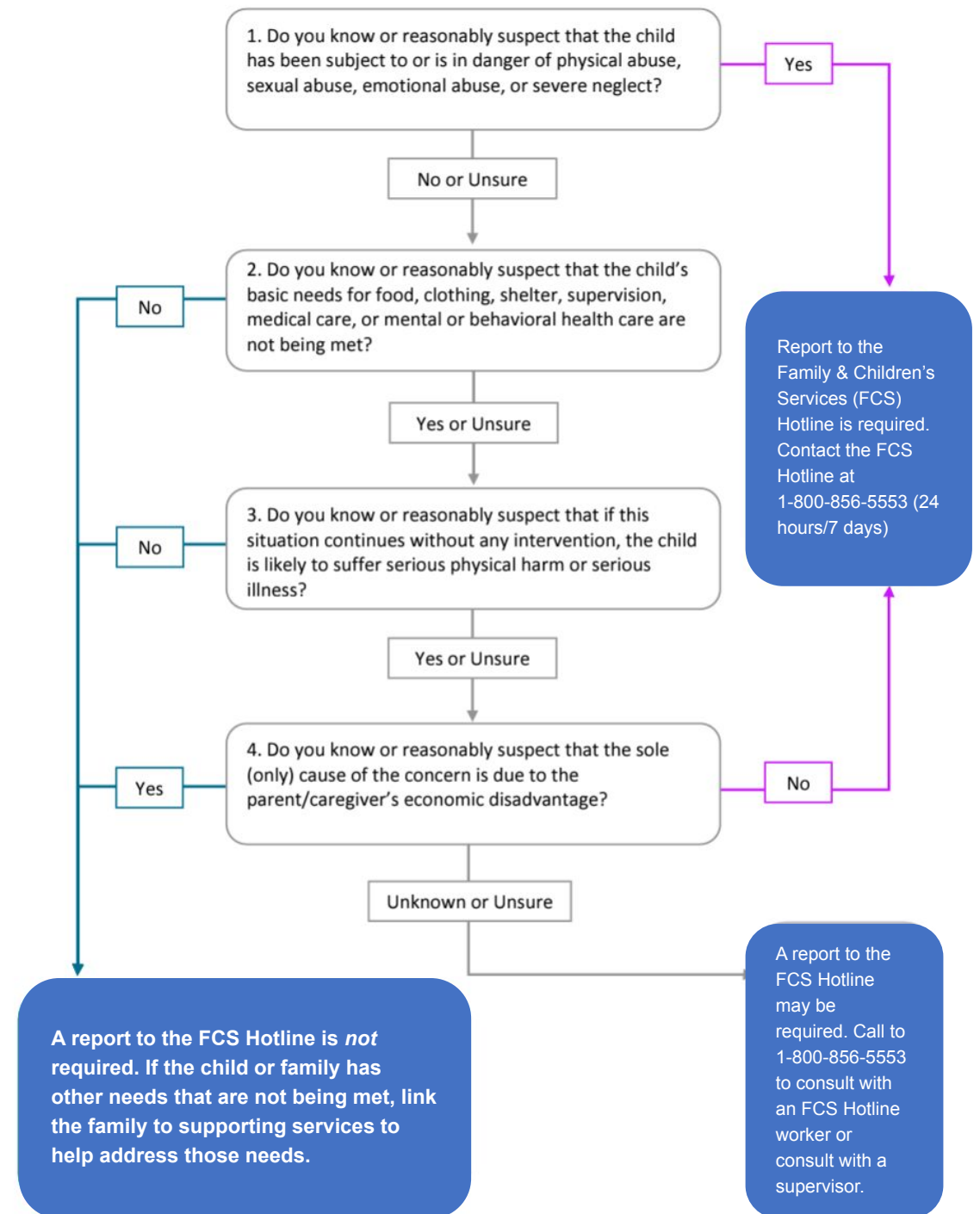
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1. Gather Information
2. Engage in Critical Thinking
3. Consider the Impact of Bias
4. Report and/or Support a Family with Resources

*When warranted, a report should help initiate a possible collaboration to broaden the child's support system!*

# AB 2085 General Neglect Decision Tree

[Dr. Tamara N. Hunter, Los Angeles County](#)  
[Mandated Supporting Initiative \(MSI\)](#)



## 1 Clarify the concern and how AB 2085 may apply.

Under AB 2085, reportable general neglect has changed to include the child's "substantial risk of suffering serious physical harm or illness" AND exclude "a parent's economic disadvantage."

When determining whether a situation mandates a report of suspected general neglect to the Child Protection Hotline, consider the following:

- Is this child's parent/caregiver negligently failing to provide adequate food, clothing, shelter, medical care, or supervision?
- What information suggests that the potential risk of harm could be **substantial**?
  - (Meaning, without intervention, child is likely to experience serious physical harm or a serious illness in the future.)
- In what way could the concerning situation put the child at risk for **serious physical harm** or **serious illness**, specifically?
- How are the parent/caregiver's economic circumstances and needs playing a role?

## 2 Consider your point of view.

- What questions can I ask myself to ensure I am thinking clearly?
- Am I addressing any potential biases?
- How am I separating facts from assumptions?

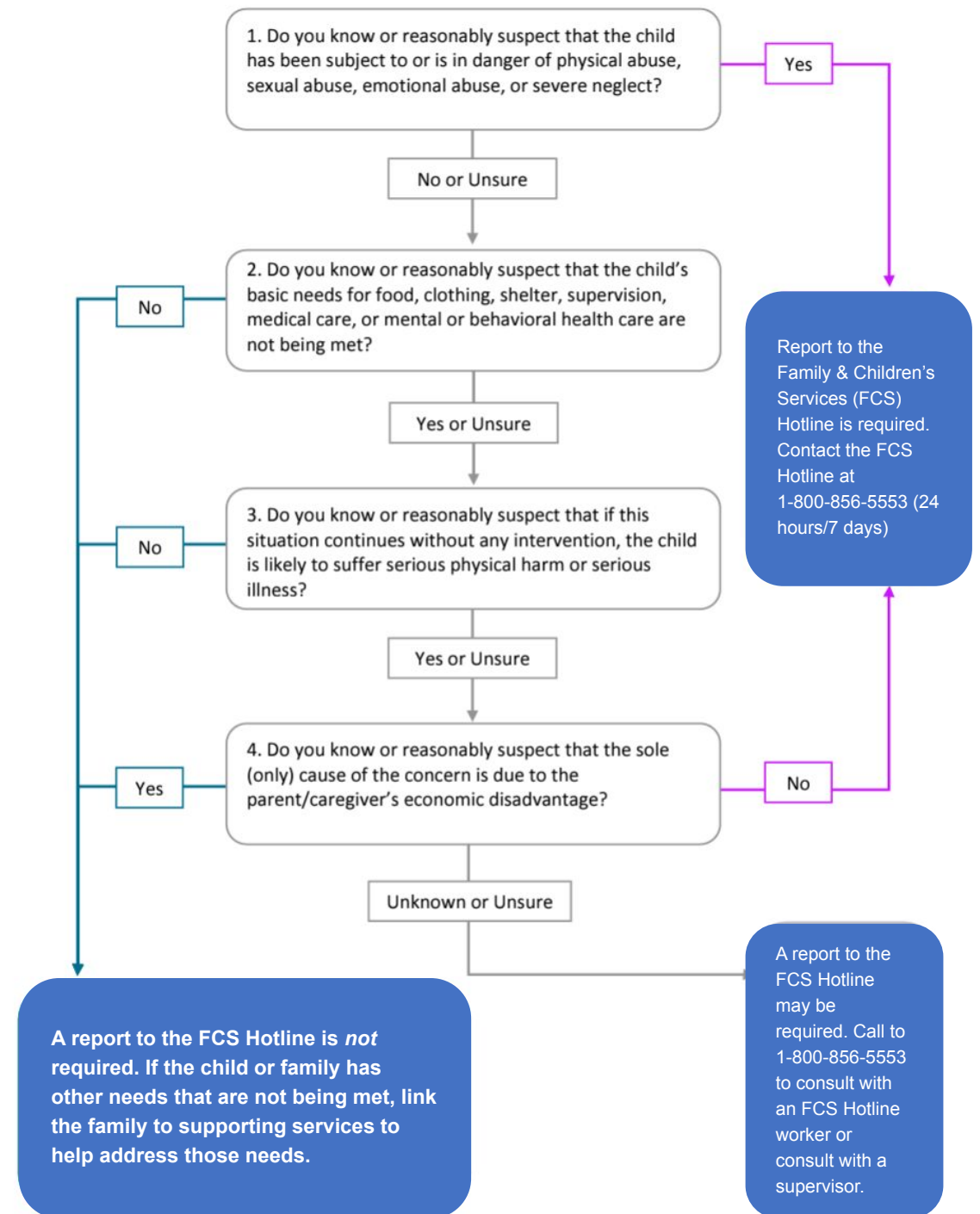
## 3 Consult whenever reasonably possible.

- Would discussing the situation with someone else help me make a more informed reporting decision?
- Would it help me check for any biases?

## 4 Complete the General Neglect Decision Tree.

- [Access the Decision Tree guide.](#)

## 5 Decide next steps.



# Creating the MRCS Task Force



# Task Force Composition

The Task Force is comprised of **32 diverse members** across 7 sectors and 11 counties

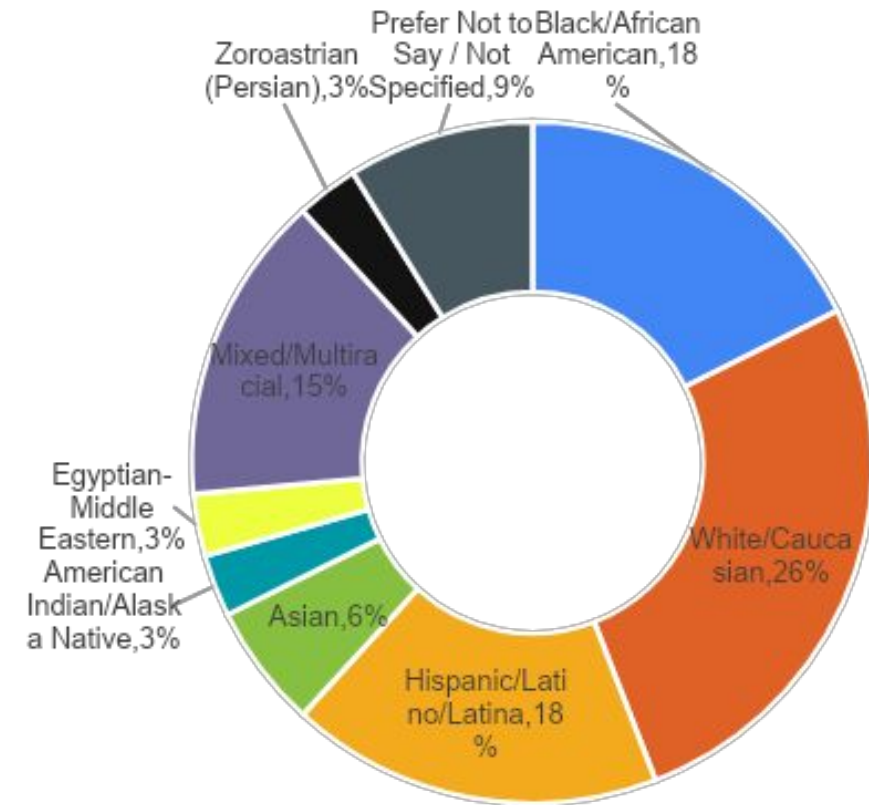
## Lived Experience

- **88%** work, have worked in, or have personal experience with the child welfare system.
- **28%** of had or have lived experience with child protective services as a youth or parent/caregiver.

## Mandated Reporter Experience

- **59%** are Mandated Reporters.
- **94%** work, have worked, or have personal experience with Mandated Reporting laws and/or practices.

Task Force Composition by Race and Ethnicity\*



\* Note: percentages add up to more than 100% as some members may fall into multiple categories

# Task Force Recommendations and Report





# Recommendations & Key Levers for Implementation

## Data / Accountability

**Recommendation 1:** The California Child Welfare Council (CWC), through its Prevention and Early Intervention (PEI) Committee, shall establish a Mandated Reporting Advisory Committee (MRAC) to ensure the transformation of Mandated Reporting to Community Supporting continues and disparities in the child welfare system are eliminated. (SP 1)

**Recommendation 2:** Request the California Department of Social Services (CDSS), in collaboration with the Mandated Reporting Advisory Committee (MRAC), to continuously monitor disparities in the child welfare system. (SP 1)

**Recommendation 3:** The California Department of Social Services (CDSS) shall ensure the implementation of AB 2085 in all California Counties and Tribes until such time that Recommendation #5 is implemented, and General Neglect is removed as a mandated reporting requirement. (SP 3)

**Recommendation 13:** Require the California Department of Social Services' (CDSS) to ensure recommendations from the Mandated Reporting to Community Supporting (MRCS) Task Force and any subsequent policy reforms related to Mandated Reporting are enacted and efforts necessary to ensure continued transformation of the Mandated Reporting system are advanced.

Focus and sustain action to ensure the efforts of mandated reporting reform are carried out with fidelity and accountability.



# Recommendations & Key Levers for Implementation

## Policy

**Recommendation 4:** In alignment with the Legislative Analyst Office (LAO) report, *California's Child Welfare System: Addressing Disproportionality and Disparities*, encourage the LAO to continue analyzing disparities in the Mandated Reporting system to determine if narrowing mandated reporter categories in the Child Abuse and Neglect Reporting Act (CANRA) negatively impacts child safety. (SP 1)

**Recommendation 5:** Support the amendment of the Child Abuse and Neglect Reporting Act (CANRA) to remove the reporting requirement of *General Neglect* for Mandated Reporters. (SP 2)

**Recommendation 6:** Support the amendment of the Child Abuse and Neglect Reporting Act (CANRA) to revise and clarify the definition of *Severe Neglect* to be aligned with the definition of Severe Neglect utilized in the California [Structured Decision Making](#) (SDM) Tool. (SP2)

**Recommendation 7:** Encourage the California Department of Social Services (CDSS), in collaboration with the Mandated Reporting Advisory Committee (MRAC) and Counties, to implement a two-year pilot that provides Mandated Reporters with immunity from liability as identified in Penal Code Section 11166 (C) when there is a demonstrated use of a child abuse and neglect decision-making process that indicates a child's safety is not at risk and a report is not required. (SP 3)



Enact laws and regulations that will address the well-documented over-reporting of the current mandated reporting system, with a focus on the disproportionate burden on Black/African American and Native American communities.



# Recommendations & Key Levers for Implementation

## Training

**Recommendation 8:** Support the amendment of Child Abuse and Neglect Reporting Act (CANRA) to require all Mandated Reporters in California receive standardized training on child abuse and neglect. (SP 3)

**Recommendation 9:** Require the CDSS Office of Child Abuse Prevention (OCAP) to develop, with participation of individuals with lived expertise, a standardized curriculum for Mandated Reporters. (SP 3)

**Recommendation 10:** Encourage the California Department of Social Services (CDSS), in collaboration with the Mandated Reporting Advisory Committee (MRAC), to create a mandated reporting web page specific to Child Abuse and Neglect Reporting. (SP 3)



**Leverage training as a tool to begin shifting the conversation from reporting families to supporting families.**

# Recommendations & Key Levers for Implementation

## Community Pathway

**Recommendation 11:** Require the California Department of Social Services (CDSS) to incorporate an assessment of the capacity of community supports and services. (SP 4)

**Recommendation 12:** Consistent with the PEI Community Pathway Recommendations, the California Department of Social Services (CDSS shall be required to ensure Counties' Comprehensive Prevention Plans (CPP) incorporate information and education specific to Mandated Reporters regarding the implementation of and access to Community Pathways and/or community resources available to support families in their communities. (SP 4)

Help ensure  
mandated reporters  
understand the  
resources available to  
support families and  
the mechanisms for  
making connections  
to supports instead of  
reporting



# Recommendations & Key Levers for Implementation

## Narrative Shift

**Recommendation 14:** Ensure the creation and implementation of a statewide narrative change initiative. (SP 5)



Increase awareness and understanding of the need for mandated reporting reform; as well as the individual, family, and societal benefits of safely narrowing the front door to CPS.

*“This will take a reorientation of both mindset and how people work—how we invest in the work and invest in the people who do the work. This is not just an average vote that we turn our backs on. This is a vote with a commitment that we all stay involved and support a mindset shift to make this happen.”*

- Dr. Mark Ghaly, Secretary of the California Health and Human Services Agency

[March 13, 2023: In response to a unanimous CWC approval of the PEI Community Pathway Recommendations]

# Next Steps and Implementation Strategy





# Implementation

## Data / Accountability

- Select Tri-Chairs, and establish the MRAC, Steering Committee and Subcommittees
- Examine data needs with a focus on general neglect and disproportionality

## Community Pathway

- Collect and examine learnings from county implementation of Community Response Guide: Humboldt, LA, San Diego
- Examine and learn from San Diego Community Hubs

## Policy

- Continue to support and provide guidance on the implementation of AB 2085
- Continue to work with legislators to craft legislation on areas of general neglect reporting, training, and mandated reporter liability

## Training

- Work on Statewide mandated reporter training has started

## Narrative Shift

- Continue successful dissemination of the MRCS Task Force recommendations – presented at 25+ conferences from June – Dec 2024, national conferences scheduled for 2025

# HOW YOU CAN SUPPORT THE MOVEMENT



**Mandated Reporting to  
Community Supporting  
Task Force**

*Communities Keeping Children Safe  
and Families Together*

Read and share the report



Keep the discussion going  
on the **Community Pathway  
and Mandated Reporting  
Reform** online community



## Let people know:

- The Mandated Reporting to Community Supporting Task Force has finalized a set of recommendations.
- The Child Welfare Council has requested an implementation strategy to move the recommendations forward.
- The recommendations call for a gold standard statewide mandated reporter training, which is underway by the state.
- The recommendations require legislative action. Discussions are underway for the 2025 legislative session.
- A Mandated Reporting Advisory Committee will be created by March 2025 to ensure implementation accountability.
- The Child Welfare Council has requested implementation updates at the quarterly Council meetings.

Questions?

